IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 29TH MARCH 2007 / 8TH CHAITHRA 1929

Bail Appl..No. 1699 of 2007()

CMP.602/2007 of J.M.F.C.-II, KANNUR
CRIME NO.121/2007 OF VALAPATTANAM POLICE STATION

.....

: PETITIONER/ACCUSED (IN CUSTODY).

AZHARUDHEEN A., S/O. M.LATHEEF,
AGED 19 YEARS, AZHEEKODANTAKATHU HOUSE, CHALIL,
P.O.AROLI, KANNUR DISTRICT.

BY ADV. SRI.B.RADHAKRISHNA PILLAI
SMT.S.AMBIKA DEVI
SRI.P.U.SHAILAJAN
SRI.R.JYOTHIKRISHNAN

RESPONDENTS: COMPLAINANT.

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEROGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1699/2007

Dated this 29th day of March, 2007

O R D E R

The petitioner, who is the first accused in Crime No.121/2007 of Valapattanam Police Station for offences punishable under Sections 143, 147, 148, 341, 323, 326 and 308 IPC read with Section 149 IPC, seeks his enlargement on bail. The petitioner surrendered before the Magistrate on 7.3.2007 and was remanded to judicial custody.

2. The learned Public Prosecutor opposed the application.

3. The case of the prosecution is that at about 11.00 a.m on 27.2.2007, the defacto complainant was assaulted by seven accused persons including the petitioner, with weapons like iron rod, reapers etc resulting in the defacto complainant sustaining injuries including fracture of his leg.

4. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case, I am inclined to grant bail to the petitioner only from a future date. Accordingly, the petitioner is directed to be released on bail with effect from 4.4.2007, on his executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the

satisfaction of the J.F.C.M-II, Kannur and subject to the following conditions:

(a). The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

(b). The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

(c) The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

(d). The petitioner shall not commit any offence while on bail.

5. If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

The application is allowed as above.

V.RAMKUMAR,
JUDGE

mrcs